

FIFTY-FOURTH DAY
(Monday, May 1, 1989)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Glasgow, Green, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejada, Truan, Uribe, Washington, Whitmire, Zaffirini.

A quorum was announced present.

The Reverend Chris Steele, Chaplain, St. Luke's Hospital and Texas Heart Institute, Houston, offered the invocation as follows:

Grace to you, and peace.

Hear the Word of God as written in the Book of the Prophet Isaiah:

"From this time forth, I make you hear new things, hidden things which you have not known before." (48:6 ff.)

"It is too light a thing that you should be my servant . . . I will give you as a light to the nations, that my salvation shall reach to the end of the earth." (49:6 ff.)

"In a time of favor I have answered you . . . and given you as a covenant to the people; saying to the prisoners, 'Come forth,' and to those who are in darkness, 'Appear' . . . They shall not hunger or thirst . . . for he who has pity on them shall lead them . . . For lo . . . the Lord has comforted His people, and will have compassion on His afflicted ones." (49:8-13)

Let us pray.

O, Almighty God, You ministered to all who came to You; and You gave those who love You the ministry of reconciliation. Make us, now, the instruments of Your peace. Where there is hatred, let us sow love; where there is injury, pardon; where there is discord, union; where there is doubt, faith; where there is despair, hope; where there is darkness, light; where there is sadness, joy. Grant that we may not so much seek to be consoled as to console; to be understood as to understand; to be loved, as to love. For, we know, that it is in giving that we receive; it is in pardoning that we are pardoned; it is in caring for the stranger that we find the neighbor, and in the neighbor, we find none other than ourselves. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of Friday, April 28, 1989, was dispensed with and the Journal was approved.

BILLS AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate, after the captions had been read, the following enrolled bills and resolutions:

S.C.R. 116	S.B. 367
S.C.R. 130	S.B. 506
S.B. 38	S.B. 515
S.B. 39	S.B. 603
S.B. 46	S.B. 624
S.B. 71	S.B. 643
S.B. 72	S.B. 910

S.B. 78
S.B. 302

S.B. 929
S.B. 1222
S.B. 1445

SENATE BILL AND RESOLUTIONS ON FIRST READING

On motion of Senator Barrientos and by unanimous consent, the following bill and resolutions were introduced, read first time and referred to the Committee indicated:

S.C.R. 133 by Barrientos Jurisprudence
Granting Christopher, Susan and Nathaniel Eakle permission to sue the State of Texas and the Texas Department of Human Services.

S.C.R. 134 by Green Jurisprudence
Granting Highland Farms Trust, acting by and through its trustees, permission to sue the State of Texas, the General Land Office and the School Land Board.

S.B. 1783 by Henderson Finance
Relating to the appraisal of property for ad valorem taxation, the administration of ad valorem taxes, and the administrative and judicial review of ad valorem tax matters; providing criminal penalties.

CO-AUTHOR OF SENATE BILL 1613

On motion of Senator Brooks and by unanimous consent, Senator Washington will be shown as Co-author of **S.B. 1613**.

CO-AUTHOR OF SENATE BILL 1721

On motion of Senator Zaffirini and by unanimous consent, Senator Santiesteban will be shown as Co-author of **S.B. 1721**.

CO-AUTHOR OF SENATE BILL 1722

On motion of Senator Zaffirini and by unanimous consent, Senator Santiesteban will be shown as Co-author of **S.B. 1722**.

CO-AUTHOR OF SENATE BILL 1732

On motion of Senator Barrientos and by unanimous consent, Senator Krier will be shown as Co-author of **S.B. 1732**.

CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 110

On motion of Senator Zaffirini and by unanimous consent, Senator Krier will be shown as Co-author of **S.C.R. 110**.

HOUSE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions received from the House were read the first time and referred to the Committee indicated:

H.C.R. 119, To Committee on Criminal Justice.
H.C.R. 150, To Committee on Health and Human Services.
H.C.R. 194, To Committee on Education.
H.C.R. 201, To Committee on Economic Development.
H.B. 15, To Committee on Economic Development.
H.B. 216, To Committee on Natural Resources.
H.B. 600, To Committee on Intergovernmental Relations.
H.B. 647, To Committee on Intergovernmental Relations.
H.B. 713, To Committee on Health and Human Services.
H.B. 803, To Committee on Criminal Justice.

H.B. 841, To Committee on Jurisprudence.
H.B. 842, To Committee on Economic Development.
H.B. 857, To Committee on Education.
H.B. 989, To Committee on Criminal Justice.
H.B. 1065, To Committee on Intergovernmental Relations.
H.B. 1094, To Committee on State Affairs.
H.B. 1101, To Committee on Criminal Justice.
H.B. 1174, To Committee on Jurisprudence.
H.B. 1182, To Committee on State Affairs.
H.B. 1230, To Committee on Criminal Justice.
H.B. 1258, To Committee on Finance.
H.B. 1379, To Committee on Jurisprudence.
H.B. 1439, To Committee on Jurisprudence.
H.B. 1469, To Committee on Education.
H.B. 1492, To Committee on Jurisprudence.
H.B. 1495, To Committee on Jurisprudence.
H.B. 1517, To Committee on Jurisprudence.
H.B. 1566, To Committee on Intergovernmental Relations.
H.B. 1597, To Committee on Jurisprudence.
H.B. 1633, To Committee on State Affairs.
H.B. 1659, To Committee on Intergovernmental Relations.
H.B. 1724, To Committee on Health and Human Services.
H.B. 1738, To Committee on Intergovernmental Relations.
H.B. 1742, To Committee on Economic Development.
H.B. 1780, To Committee on State Affairs.
H.B. 1795, To Committee on Jurisprudence.
H.B. 1840, To Committee on Education.
H.B. 1841, To Committee on Health and Human Services.
H.B. 1877, To Committee on Economic Development.
H.B. 1950, To Committee on Education.
H.B. 2008, To Committee on Economic Development.
H.B. 2020, To Committee on State Affairs.
H.B. 2040, To Committee on Education.
H.B. 2136, To Committee on Health and Human Services.
H.B. 2162, To Committee on State Affairs.
H.B. 2225, To Committee on Intergovernmental Relations.
H.B. 2247, To Committee on Criminal Justice.
H.B. 2250, To Committee on Economic Development.
H.B. 2288, To Committee on State Affairs.
H.B. 2306, To Committee on Natural Resources.
H.B. 2487, To Committee on Economic Development.
H.B. 2576, To Committee on State Affairs.
H.B. 2597, To Committee on Health and Human Services.
H.B. 2601, To Committee on Health and Human Services.
H.B. 2612, To Committee on Intergovernmental Relations.
H.B. 2650, To Committee on State Affairs.
H.B. 2657, To Committee on Health and Human Services.
H.B. 2678, To Committee on Education.
H.B. 2681, To Committee on State Affairs.
H.B. 2780, To Committee on Intergovernmental Relations.
H.B. 2802, To Committee on Intergovernmental Relations.
H.B. 2963, To Committee on Intergovernmental Relations.
H.B. 3069, To Committee on Jurisprudence.

REPORT OF STANDING COMMITTEE

Senator Harris submitted the following report for the Committee on Economic Development:

S.B. 662
H.B. 1212
H.B. 438
H.B. 162
H.B. 1558
H.C.R. 159
H.B. 204
C.S.S.B. 570
C.S.S.B. 1534

MESSAGE FROM THE HOUSE

House Chamber
May 1, 1989

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 1265, Relating to the demolition or repair of substandard buildings in a municipality.

H.B. 1561, Relating to creation and operation of a State manufacturing institute.

H.B. 1587, Relating to the quasi-judicial enforcement of certain ordinances by home-rule municipalities.

H.B. 1788, Relating to administration of, participation and credit in, and benefits from certain municipal retirement systems.

H.B. 2280, Relating to the admissibility of evidence regarding family violence and prior acts of violence committed by the victim against the defendant.

H.B. 2619, Relating to permits for the sale and distribution of cigarettes; to the sale taxation and regulation of cigarette tax stamps; and declaring an emergency.

H.B. 3070, Relating to the creation, administration, powers, duties, operations, functions and financing of the North Channel Water Authority.

H.C.R. 151, Directing the Texas Water Commission to explore the efficacy of entering into a compact with the states of Oklahoma, Louisiana and Arkansas and such other states for the purposes of establishing efficient and effective use of existing hazardous waste storage.

H.C.R. 182, Authorizing a memorial on the Capitol grounds honoring DPS officers who died in the line of duty.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

SENATE RESOLUTION 542

Senator Montford offered the following resolution:

WHEREAS, The Senate of the State of Texas is proud to honor the officers of the Department of Public Safety who daily serve all the people of Texas; and

WHEREAS, On May 1, 1989, the citizens of Texas will formally recognize these public servants for the superb contributions they have made to provide the safe and healthful environment in which we live; and

WHEREAS, All Texans owe an enormous debt of gratitude to these selfless individuals who make up the State Troopers, Narcotics Officers, Texas Rangers, and all other commissioned officers in the Department of Public Safety; and

WHEREAS, Texas has been blessed with officers dedicated to the enforcement and just administration of the law since the early days of the Republic; and

WHEREAS, The Department of Public Safety Officers have the tremendous responsibility of protecting the lives and property of all Texans as well as maintaining order and enforcing the laws of this state; and

WHEREAS, Their dedication and personal sacrifice is without parallel in our country; and

WHEREAS, On May 1, 1989, the Department of Public Safety Association is commemorating its officers with a special concert; proceeds from the event will go into the Benefit Trust Fund to provide assistance to the families of officers who have lost their lives; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 71st Legislature, hereby observe May 1, 1989, as Department of Public Safety Officer Day in honor of these magnificent public servants; and, be it further

RESOLVED, That a copy of this Resolution be prepared as a token of the high esteem and appreciation of the Texas Senate.

The resolution was read and was adopted viva voce vote.

GUESTS PRESENTED

Senator Montford was recognized and introduced officers and members of the Department of Public Safety Officers Association seated in the Gallery.

The Senate welcomed these guests and extended appreciation to them for their service.

SENATE BILL 1587 ON SECOND READING

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1587, Relating to the use and removal from state agencies and other entities of telecommunication devices for the deaf.

The bill was read second time.

Senator Brooks offered the following amendment to the bill:

Amend **S.B. 1587** on page 2, between lines 44 and 45 by adding a new SECTION 2 to read as follows and renumber subsequent SECTIONS accordingly:

"SECTION 2. This Act takes effect on September 1, 1989."

The amendment was read and was adopted viva voce vote.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

SENATE BILL 1587 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 1587** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 0.

Absent: Green, Parmer, Tejeda, Washington.

The bill was read third time and was passed viva voce vote.

SENATE BILL 1106 ON SECOND READING

On motion of Senator Leedom and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1106, Relating to authorizing the establishment of internal auditing departments in certain state agencies.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 1106 ON THIRD READING

Senator Leedom moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 1106** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1.

Nays: Washington.

Absent: Green, Parmer, Tejeda.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent: Parmer, Tejeda.

SENATE BILL 1553 ON SECOND READING

On motion of Senator Edwards and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1553, Relating to the cancellation of the voter registrations of persons whose names appear on the lists of returned registration certificates.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 1553 ON THIRD READING

Senator Edwards moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 1553** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent: Parmer.

The bill was read third time and was passed viva voce vote.

SENATE RESOLUTION 498

Senator Washington offered the following resolution:

WHEREAS, AIDS has come upon us with cruel abandon and forced us to confront and deal with the frailty of our being and the reality of death; and

WHEREAS, 3,500 Texans, many of them young and in the prime creative and productive years in their lives, have died from the epidemic, and many of us have lost loved ones to this disease; and

WHEREAS, We grieve and feel the emptiness that the loss of each of these persons has left behind; and we suffer seemingly endless pain and strive to find meaning in the fact that persons so dear have left us; and

WHEREAS, We remember the joy, passion, and sensitive interconnections which filled our relationships with them; and

WHEREAS, People living with AIDS confront the ultimate challenges of life and show supreme courage in their personal fight against AIDS, setting standards for all of us to follow; and

WHEREAS, Over 6,000 Texans have been diagnosed with AIDS already, and 45,000 are expected to be diagnosed by the end of 1992; and

WHEREAS, Thousands of Texans work with compassion, commitment, and perseverance to meet the challenge of AIDS daily, providing vital education to stop the spread of HIV, as well as treatment and care for those who have become ill; and

WHEREAS, As Texans touched by the AIDS crisis, we rise above our personal considerations and open our hearts to those who grieve and those in need; we offer our love and care in whatever form necessary and possible; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 71st Legislature, hereby commend the AIDS educators and caregivers on the front lines of the battle against AIDS; and, be it further

RESOLVED, That the Senate adjourn this day in memory of those who have died of AIDS and wish the best to those who live with AIDS and those who deal with this epidemic each day.

The resolution was read and was adopted by a rising vote of the Senate.

**COMMITTEE SUBSTITUTE SENATE
CONCURRENT RESOLUTION 110 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading:

C.S.S.C.R. 110, Creating an advisory committee to assist the State Board of Education and the staff of Central Education Agency in formulating the elements of the self-responsibility education program.

The resolution was read second time.

Senator Zaffirini offered the following amendment to the resolution:

Amend **C.S.S.C.R. 110** by striking the word "hereby" on page 2, line 15 of the printed bill.

The amendment was read and was adopted viva voce vote.

The resolution as amended was adopted viva voce vote.

RECORD OF VOTES

Senators Armbrister, Brown and McFarland asked to be recorded as voting "Nay" on the adoption of the resolution.

**MOTION TO PLACE
SENATE BILL 1639 ON THIRD READING**

Senator Carriker moved to suspend the regular order of business to take up for consideration at this time on its third reading and final passage:

S.B. 1639, Relating to security interests in farm products.

The motion was lost by the following vote: Yeas 19, Nays 10. (Not receiving two-thirds vote of Members present)

Yeas: Barrientos, Brooks, Brown, Caperton, Carriker, Glasgow, Green, Harris, Henderson, Johnson, Krier, Leedom, McFarland, Parker, Santiesteban, Tejada, Truan, Washington, Whitmire.

Nays: Armbrister, Bivins, Dickson, Edwards, Haley, Montford, Parmer, Ratliff, Sims, Zaffirini.

Absent: Lyon, Uribe.

**COMMITTEE SUBSTITUTE
SENATE BILL 639 ON SECOND READING**

On motion of Senator Brown and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 639, Relating to procedures in the municipal courts of record of Houston.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 639 ON THIRD READING**

Senator Brown moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 639** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed viva voce vote.

HOUSE BILL 630 ON SECOND READING

On motion of Senator Parker and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 630, Relating to indigent health care.

The bill was read second time.

Senator Parker offered the following amendment to the bill:

Amend **H.B. 630**, Section 3, by amending Section 14.02(c) to read as follows:

(c) If the contract for the sale of the hospital provides for the provision by the hospital of health care services to county residents, the value of the health care services credited or paid in a state fiscal year under the contract is included as part of the computation of a county expenditure under Section 5.02 of this Act to the extent that the value of the services does not exceed the payment standard established by the Department for allowed inpatient and outpatient services.

The amendment was read and was adopted viva voce vote.

On motion of Senator Parker and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading viva voce vote.

HOUSE BILL 630 ON THIRD READING

Senator Parker moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that H.B. 630 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

HOUSE BILL 571 ON SECOND READING

On motion of Senator McFarland and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 571, Relating to the date on which the attendance of students for the first semester of the regular public school term begins.

The bill was read second time and was passed to third reading viva voce vote.

HOUSE BILL 571 ON THIRD READING

Senator McFarland moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that H.B. 571 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

MOTION TO PLACE COMMITTEE SUBSTITUTE SENATE BILL 617 ON SECOND READING

Senator Washington moved to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 617, Relating to regulation of private process servers; providing penalties.

The motion was lost by the following vote: Yeas 13, Nays 15. (Not receiving two-thirds vote of Members present)

Yeas: Barrientos, Bivins, Brooks, Carriker, Krier, Leedom, Parker, Santiesteban, Sims, Tejada, Truan, Washington, Zaffirini.

Nays: Armbrister, Brown, Caperton, Dickson, Edwards, Green, Haley, Harris, Henderson, Johnson, Lyon, McFarland, Montford, Ratliff, Whitmire.

Absent: Glasgow, Parmer, Uribe.

GUESTS PRESENTED

Senator Montford was recognized and presented Dr. Morris Knox of Brownfield and his son, Dr. Bob Knox, of Little Rock, Arkansas.

Dr. Morris Knox, participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, was welcomed by the Senate and received an expression of gratitude for his service today.

**COMMITTEE SUBSTITUTE
SENATE BILL 1484 ON SECOND READING**

On motion of Senator Whitmire and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1484, Relating to the days and hours for conducting absentee voting by personal appearance in certain elections.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 1484 ON THIRD READING**

Senator Whitmire moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 1484** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed viva voce vote.

**COMMITTEE SUBSTITUTE SENATE
JOINT RESOLUTION 25 ON SECOND READING**

On motion of Senator Caperton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.J.R. 25, Proposing a constitutional amendment granting a person whose land is wholly or partially surrounded by the land of another person the right to an easement over the surrounding land.

The resolution was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE SENATE
JOINT RESOLUTION 25 ON THIRD READING**

Senator Caperton moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.J.R. 25** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Armbrister, Barrientos, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Glasgow, Green, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejada, Truan, Uribe, Whitmire, Zaffirini.

Nays: Bivins, Washington.

The resolution was read third time and was passed by the following vote: Yeas 30, Nays 1.

Nays: Bivins.

**COMMITTEE SUBSTITUTE
SENATE BILL 593 ON SECOND READING**

On motion of Senator Caperton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 593, Relating to granting a person whose land is wholly or partially surrounded by the land of another person the right to an easement over the surrounding land.

The bill was read second time.

Senator Truan offered the following amendment to the bill:

Amend **C.S.S.B. 593**, SECTION 1, by striking in its entirety line 53 after the word "property", line 54 and line 56, and by inserting a period (.) after the word "property" on line 53.

The amendment was read and was adopted viva voce vote.

On motion of Senator Caperton and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 593 ON THIRD READING**

Senator Caperton moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 593** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Armbrister, Barrientos, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Glasgow, Green, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejada, Truan, Uribe, Whitmire, Zaffirini.

Nays: Bivins, Washington.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1.

Nays: Bivins.

**COMMITTEE SUBSTITUTE
SENATE BILL 1631 ON SECOND READING**

On motion of Senator Caperton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1631, Relating to mandatory presentence investigations of certain convicted felons.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 1631 ON THIRD READING**

Senator Caperton moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 1631** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 913 ON SECOND READING**

On motion of Senator Parmer and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 913, Relating to child care provided by public schools and to the creation of the school child care services fund.

The bill was read second time.

Senator Parmer offered the following amendment to the bill:

Amend **C.S.S.B. 913** as follows:

On page 2, line 18, insert the following after the period and before "The": "With the advice of the Central Education Agency,".

The amendment was read and was adopted viva voce vote.

On motion of Senator Parmer and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 913 ON THIRD READING**

Senator Parmer moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 913** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Armbrister, Barrientos, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Glasgow, Green, Haley, Harris, Henderson, Johnson, Kier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejada, Truan, Uribe, Whitmire, Zaffirini.

Nays: Bivins, Washington.

The bill was read third time and was passed viva voce vote.

RECORD OF VOTE

Senator Bivins asked to be recorded as voting "Nay" on the final passage of the bill.

**COMMITTEE SUBSTITUTE
SENATE BILL 1516 ON SECOND READING**

On motion of Senator Carriker and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 1516, Relating to the storage, transportation, and disposal of used or scrap tires.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 1516 ON THIRD READING**

Senator Carriker moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 1516** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed viva voce vote.

**MOTION TO PLACE
HOUSE BILL 1301 ON SECOND READING**

Senator Harris moved to suspend the regular order of business to take up for consideration at this time:

H.B. 1301, Relating to the sale and purchase of redfish.

On motion of Senator Harris and by unanimous consent, the motion to suspend the regular order of business was withdrawn.

**COMMITTEE SUBSTITUTE
HOUSE BILL 112 ON SECOND READING**

On motion of Senator Armbrister and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C.S.H.B. 112, Relating to the application of sales and use taxes to certain purchases of machinery, equipment, and related property used for manufacturing and other commercial purposes.

The bill was read second time.

Senator Parker offered the following amendment to the bill:

Amend **C.S.H.B. 112** as follows:

(1) In SECTION 1 (Committee Printing page 1, line 31), strike "and (m)" and substitute "(m), and (n)".

(2) In Section 151.318(i) (Committee Printing page 1, line 65), immediately after "(g)", insert "or (n)".

(3) In Section 151.318(j) (Committee Printing page 2, line 7), strike "Subsection (g)" and substitute "Subsections (g) and (n)".

(4) In Section 151.318(m) (Committee Printing page 2, line 23), immediately after "(h)(1)", insert "and Subsection (n)".

(5) In Section 151.318(m) (Committee Printing page 2, line 25), immediately after “(4)”, insert “and Subsection (n)”.

(6) Following Section 151.318(m) (Committee Printing page 2, between lines 29 and 30), insert the following:

(n) A person engaged in overhauling, retrofitting, or repairing jet turbine aircraft engines and their component parts is entitled to a refund or a reduction in the amount of tax imposed by this chapter for the purchase of machinery, equipment, or replacement parts or accessories with a useful life in excess of six months that are used or consumed in the overhauling, retrofitting, or repairing. The amount of the refund or reduced amount of tax due is the same as provided by Subsection (h) for property covered by Subsection (g).

(7) In Section 111.104(e) (Committee Printing page 2, line 35), immediately after “151.318(g)”, insert “or (n)”.

The amendment was read and was adopted by the following vote: Yeas 24, Nays 6.

Yeas: Barrientos, Brooks, Brown, Carriker, Edwards, Green, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Santiesteban, Sims, Tejada, Truan, Washington, Whitmire, Zaffirini.

Nays: Armbrister, Bivins, Caperton, Dickson, Glasgow, Ratliff.

Absent: Uribe.

On motion of Senator Armbrister and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading viva voce vote.

COMMITTEE SUBSTITUTE HOUSE BILL 112 ON THIRD READING

Senator Armbrister moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that C.S.H.B. 112 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed viva voce vote.

MEMORIAL RESOLUTION

S.R. 545 - By Montford: In memory of William M. Wright of Lubbock.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 543 - By Glasgow: Extending welcome to Dr. J. Mike White of Cleburne.

S.R. 544 - By Krier: Declaring May, 1989, as Karate Kids of Texas Just Say No To Drugs Month.

S.R. 546 - By Johnson: Extending congratulations to Opera Nelson Sirls on receiving the “Woman of the Year” award and commending her for her excellent work.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 12:37 p.m. adjourned until 11:00 a.m. tomorrow.